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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) SON-2839	
		Application Number 10/500,237-Conf. #7485	Filed June 25, 2004
		First Named Inventor Mitsuyasu Tamura et al.	
		Art Unit 2629	Examiner A. S. Beck
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
<p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>40,290</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p>		<div style="text-align: center;"> <p>Signature</p> <p>Christopher M. Tobin Typed or printed name</p> </div> <div style="text-align: center; margin-top: 20px;"> <p>(202) 955-3750 Telephone number</p> <p>November 2, 2009 Date</p> </div>	
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<p><input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			



Docket No.: SON-2839
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mitsuyasu Tamura et al.

Application No.: 10/500,237

Confirmation No.: 7485

Filed: June 25, 2004

Art Unit: 2629

For: IMAGE DISPLAY DEVICE AND THE COLOR
BALANCE ADJUSTMENT METHOD

Examiner: A. S. Beck

REQUEST FOR PRE-APPEAL BRIEF PANEL REVIEW OF FINAL REJECTION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This request for Pre-Appeal Panel Review is in response to the Final Office Action dated July 1, 2009. Appellants have concurrently filed a Notice of Appeal regarding all outstanding grounds of rejection and will file an Appeal Brief in due course. However, it is anticipated that Panel Review will obviate the need for the filing of a Brief.

I. The Final Office Action improperly rejects claims 1, 3-7, 9, 13, 15, 16, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Nakano et al (U.S. Patent No. 6,765,551, hereinafter referred to as "Nakano '551") in view of Inukai (U.S. Patent No. 7,042,427, hereinafter referred to as "Inukai '427").

The claimed features are neither disclosed nor suggested by Nakano '551.

Nakano '551 discloses a column electrode driving circuit including a reference voltage generation circuit that adjusts the chromaticity of the display signal *after dividing the drive signals*

to their respective RGB colors. The display applies one of 64 grayscale levels of luminance to each separated RGB color signal.

In contrast, Appellant claims a level adjustment circuit provided in said circuit, for changing a level of an RGB signal before dividing said drive signals to respective RGB colors based on said information obtained by the adjustment information retrieve means.

The Office Action rejects the cited portion of claim 1 by citing to element 70 of Nakano '551 and columns 6 and 8. The cited portion of column 6 recites:

The output circuit 60 subjects the analog signals *which have been converted* by the D/A converter 50 to impedance conversion, and outputs the resultant analog signals as 40 *driving voltages to the data lines* coupled to the respective output nodes.

As such, the cited portion of claim 6 runs counter to the Office Action interpretation, as it clearly recites adjustments being made to the signal after the signal has been divided into its respective components.

Furthermore, the elements of Fig. 1, such as elements 40-70 replace elements 4-7 in Fig.3. However, they maintain the same form of input and output. These components operate and receive the RGB data as 384 values, with 128 inputs designated for each color (Col. 1, ll. 42-50). Since the wholesale replacement of the elements does not change their respective inputs, it becomes further evident that elements 40-70 **operate on divided drive signals**.

Moreover, there is no mention of a level adjustment circuit or an adjustment information retrieve means for obtaining information relating to light emission adjustment proportional to the deterioration of said light emitting element in Nakano '551.

Inukai '427 does not remedy the deficiencies of Nakano '551, as the various features recited above are also absent from Inukai '427. Inukai '427 discloses a mechanism for measuring luminance decay but fails to teach disclose or suggest, for example, Appellant's claimed features of "*an adjustment information retrieve means for obtaining information relating to light emission*

adjustment proportional to the deterioration of said light emitting element; a level adjustment circuit provided in said circuit, for changing a level of an RGB signal before dividing said drive signals to respective RGB colors based on said information obtained by said adjustment information retrieve means,” are neither disclosed nor suggested by Inukai ‘427.

Accordingly, Appellant respectfully requests reversal of the rejection of claims 1, 3-7, 9, 13, 15, 16, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Nakano ‘551 in view of Inukai ‘427.

II. The Final Office Action improperly rejects claims 10-12 and 19-22 under 35 U.S.C. § 103(a) as being unpatentable over Nakano ‘551 in view of Miyachi et al (U.S. Patent No. 6,982,686 hereinafter referred to as “Miyachi ‘686”).

Nakano ‘551 fails to disclose, teach or suggest *“a level adjustment circuit for changing a level of an RGB signal before divided to said drive signals for the respective RGB colors based on a result of the motion detection obtained from said motion detection circuit,”* as recited in independent claim 10.

Miyachi ‘686 does not remedy the deficiencies of Nakano ‘551, as the various features recited above are also absent from Miyachi ‘686.

Miyachi ‘686 discloses a method and apparatus for managing the light intensity of cold-cathode tubes in LCD monitors. Particularly, the cited elements of Nakano ‘551 are directed to a system for managing the illumination produced by cold-cathode tubes based on the motion present in a video signal. In Fig. 42, a video signal is input to liquid crystal panel control circuit 804. Control circuit 804 produces three output signals, two output signals for controlling the liquid crystal panel 805, and one output signal for controlling inverter control circuit 801. Inverter control circuit 801 controls cold-cathode tube 803, via Inverter 802. No signal is passed to the liquid display panel 805 for controlling the cold-cathode tube. Instead, an external circuit, i.e. inverter circuit 801, dims the cold-cathode tube.

There is **no mention** of a level adjustment circuit or an adjustment information retrieve means for obtaining information relating to light emission adjustment proportional to the deterioration of said light emitting element in Miyachi '686.

Accordingly, Appellant respectfully requests reversal of the rejection of claims 10-12 and 19-22 under 35 U.S.C. § 103(a) as being unpatentable over Nakano '551 in view of Miyachi '686.

III. The Final Office Action improperly rejects claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Nakano '551 and Inukai '427 in view of Tanada et al (U.S. Patent No. 6,774,578, hereinafter referred to as "Tanada '578").

Claim 17 depends from and thus incorporates the features of claims 13 which are neither disclosed nor suggested by Nakano '551 and Inukai '427, for the reasons stated above.

Tanada '578 does not remedy the deficiencies of Nakano '551 in view Inukai '427, as the various features recited above are also absent from Tanada '578. For example, Appellant's claimed features of "*a level adjustment circuit for changing a level of an RGB signal before divided to said drive signals for the respective RGB colors based on a result of the motion detection obtained from said motion detection circuit,*" are neither disclosed nor suggested by Tanada '578.

Tanada '578 discloses a device for detecting and accounting for EL degradation by detecting the variance in luminance on a pixel-by-pixel basis. Tanada '578 employs photoelectric elements 106 which are each positioned on a separate pixel 107 of the display device. This allows each photoelectric element 106 to monitor a given pixel 107, which in turn allows the system to properly adjust the intensity of the pixels. Each photoelectric element 106 monitors the actual light output of the pixels. The system operates by making corrections based on a test pattern provided in unit 103. Memory circuit 104 stores the brightness results, and the data brightness correction is stored in correction data storage portion 102. In the background, Tanada '578 also discusses how previous attempts to account for pixel deterioration included using a timer to track how long the

display device was in use, and thereby predict the expected pixel deterioration based on experimental results.

There is no mention of a level adjustment circuit or an adjustment information retrieve means for obtaining information relating to light emission adjustment proportional to the deterioration of said light emitting element in Tanada '578.

Accordingly, Appellant respectfully requests reversal of the rejection of claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Nakano '551 in view Inukai '427 in further view of Tanada '578.

Dated: November 2, 2009

Respectfully submitted,

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